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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,376	06/24/2003	Hui-Kai Chou	JCLA11125	4735

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J C PATENTS, INC.
4 VENTURE, SUITE 250
IRVINE, CA 92618

EXAMINER

PAYNE, SHARON E

ART UNIT PAPER NUMBER

2875

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/606,376

Applicant(s)

CHOU ET AL.

Examiner

Sharon E. Payne

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/20/06 has been entered.

Claim Objections

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 22 (second occurrence)-28 been renumbered 23-29.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18, 19, 22-26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amano (JP 04033202 A) in view of Ishii et al. (JP 02157789 A).

Regarding claim 18, Amano discloses a frame having a bottom surface (reference number 1), at least one U-shaped lamp tube disposed in the bottom frame (Figs. 1 and 5) having two electrodes substantially located toward the bottom surface of the frame (Fig. 1). Amano does not disclose the U-shaped lamp tube having two straight portions having the same length.

Ishii et al. discloses a lamp tube having two straight portions having the same length (Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Ishii et al. in the apparatus of Amano to improve the starting performance of the apparatus. See the English abstract of Ishii et al.

Concerning claim 19, Amano discloses a diffusion plate (reference number 15) positioned inside the frame above the U-shaped lamp tube (Figs. 1 and 3).

Regarding claim 22, Amano discloses a frame having a bottom surface (Fig. 1), at least a lamp tube module disposed inside the frame (Fig. 10), the lamp tube module comprising at least two U-shaped lamp tubes (Fig. 1), and each U-shaped lamp tube having two electrodes substantially located toward the bottom surface of the frame (Fig. 1). Amano does not disclose two straight portions having the same length.

Ishii et al. discloses a lamp tube having two straight portions having the same length (Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Ishii et al. in the apparatus of Amano to improve the starting performance of the apparatus. See the English abstract of Ishii et al.

Concerning claim 23, Amano discloses the U-shaped lamp tubes within each lamp tube module being symmetrically positioned inside the frame (Fig. 1).

Regarding claim 24, Amano discloses the U-shaped lamp tubes within each lamp tube module being alternately positioned inside the frame (Fig. 1).

Concerning claim 25, Amano discloses the lamp tube modules forming an array (Figs. 1 and 5).

Regarding claim 26, Amano discloses the lamp tube modules being laid in a column (Figs. 1 and 5).

Concerning claim 28, Amano discloses the module further comprising a diffusion plate (reference number 15) positioned inside the frame above the lamp tube module (Fig. 1).

4. Claims 20-21, 27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amano in view of Ishii et al. as applied to claims 18 and 22 above, and further in view of Kim (U.S. Patent 6,490,015).

Regarding claims 20 and 29, Amano and Ishii et al. do not disclose a plurality of optical plates positioned over the diffusion plate. Kim discloses a plurality of optical plates positioned over the diffusion plate (Fig. 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Kim in the apparatus of Amano and Ishii et al. to produce the desired optical effects for backlighting the LCD. See the abstract and Fig. 2 of Kim.

Concerning claims 21 and 27, Amano and Ishii et al. do not disclose a reflecting plate positioned on the bottom surface of the frame. Kim discloses a reflecting plate (reference number 35, Fig. 2) positioned on the bottom surface of the frame (Fig. 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Kim in the apparatus of Amano and Ishii et al. to produce the desired optical effects for backlighting the LCD. See the abstract and Fig. 2 of Kim.

Response to Arguments

5. Applicant's arguments with respect to claims 18-29 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharon E. Payne whose telephone number is (571) 272-2379. The examiner can normally be reached on regular business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sep


Sharon Payne
Patent Examiner
Technology Center 2800